

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
J. ROBERT EGAN FOR APPROVAL OF AN)
ADDITIONAL POINT OF DIVERSION OF)
WATER)

ORDER APPROVING
TRANSFER 4924

On November 6, 1981, an application was filed in the office of the Water Resources Director by J. Robert Egan for approval of an additional point of diversion of water from O'Connor Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 50285, Volume 44, State Record of Water Right Certificates, in the name of J. Robert Egan, describes a right for the use of not to exceed 0.01 cubic foot per second from O'Connor Creek, for domestic use for one family including the irrigation of lawn and garden not to exceed 1/2 acre in area in NW 1/4 SE 1/4, Section 8, Township 37 South, Range 9 West, WM, with a date of priority of August 28, 1972.

Water for the said right is diverted from a point located 420 feet South and 360 feet East from the Center of Section 8, being within the NW 1/4 SE 1/4 of Section 8, Township 37 South, Range 9 West, WM.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion, without loss of priority, at a point located 420 feet South and 1,010 feet East from the Center of Section 8, being within the NW 1/4 SE 1/4 of Section 8, Township 37 South, Range 9 West, WM.

Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested additional point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.01 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:


That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the additional point of diversion of water in use on or before October 1, 1983.

It is FURTHER ORDERED that the certificate recorded at page 50285, Volume 44, State Record of Water Right Certificates, is canceled; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 21st day of December, 1981.


JAMES E. SEXSON
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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